

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Michael Batt

Application No. 10/516,862

Filed: December 2, 2004

Confirmation No. 8553

For: AN ADJUSTABLE FIN SYSTEM

Examiner: Edwin L. Swinehart

Art Unit: 3617

Attorney Reference No. 7214-69896-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)Date Mailed May 26, 2006

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Reply to Notice of Non-Compliant Amendment
- ☒ The Director is hereby authorized to charge any fees that may be required to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

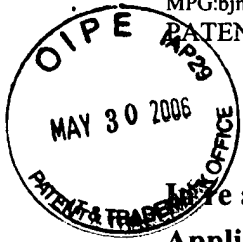
KLARQUIST SPARKMAN, LLP

By

Michael P. Girard
Registration No. 38,467

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

cc: Docketing



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Batt

Application No. 10/516,862

Filed: December 2, 2004

Confirmation No. 8553

For: AN ADJUSTABLE FIN SYSTEM

Examiner: Edwin L. Swinehart

Art Unit: 3617

Attorney Reference No. 7214-69896-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)Date Mailed May 26, 2006

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

In reply to the Notice of Non-Compliant Amendment mailed May 18, 2006, Applicant submits that the sheet labeled "Exhibit A" submitted with the May 5, 2006, Amendment is not an amendment to the drawings, but merely is an exhibit in support of arguments made in the Amendment.

Since the figure shown in "Exhibit A" was submitted only as an exhibit and not as an amendment to the drawings, the regulations associated with 37 C.F.R. 1.121(d) do not apply. Accordingly, Applicant submits that the Amendment as originally filed complies with 37 C.F.R. 1.121 and should be considered, and that Notice should be withdrawn.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

Michael P. Girard
Registration No. 38,467

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 228-9446